

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:10-00070-03

LEVI CARTER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On May 29, 2014, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Levi Carter, appeared in person and by his counsel, Carl E. Hostler, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a twenty-four months less one day term of supervised release in this action on July 10, 2012, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on October 3, 2011.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated federal and state law inasmuch as on November 1, 2013, he sold crack cocaine weighing approximately .188 gram to a confidential informant; and (2) the defendant failed to follow the instruction of the probation officer that he report to the probation office on December 19, 2013, inasmuch as he did not report on that date or any date thereafter rendering his whereabouts unknown; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

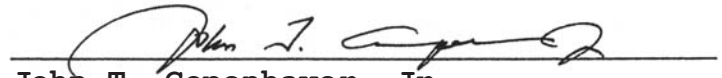
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 11, 2014


John T. Copenhaver, Jr.
United States District Judge